

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Robert Lee Harris, Jr.,

Plaintiff(s)

vs.

Warden, Lebanon Correctional

Defendant(s)

:
:
:
:
:
:
:
:
:
:
:

Case Number: 1:12cv13

Chief Judge Susan J. Dlott

ORDER

This matter is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Karen L. Litkovitz. Pursuant to such reference, the Magistrate Judge reviewed the pleadings and filed with this Court on January 31, 2012 a Report and Recommendation (Doc. 4). Subsequently, the plaintiff filed objections to such Report and Recommendation (Doc. 7).

The Court has reviewed the comprehensive findings of the Magistrate Judge and considered de novo all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Recommendation should be adopted.

Accordingly, the complaint/petition is **DISMISSED** with prejudice since it fails to state a claim upon which relief may be granted.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of any Court Order adopting the Report and Recommendation will not be taken in good faith. *See McGore v. Wrigglesworth*, 114 F.3d 601 (6th Cir. 1997).

IT IS SO ORDERED.

—

s/Susan J. Dlott
Chief Judge Susan J. Dlott
United States District Court